

HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HP TUNERS, LLC, a Nevada limited liability
company,) CASE NO. 3:17-cv-05760-BHS
)
Plaintiff,) **PLAINTIFF HP TUNERS LLC’S**
) **MOTION FOR PARTIAL SUMMARY**
) **JUDGMENT PURSUANT TO FRCP 56**
vs.) **AND LR 56.1**
)
KEVIN SYKES-BONNETT and SYKED) **NOTING DATE: JUNE 25, 2021**
ECU TUNING INCORPORATED,) **ORAL ARGUMENT REQUESTED**
Washington corporation, and JOHN)
MARTINSON,)
Defendants.

NOW COMES, Plaintiff HP Tuners, LLC (“HPT” or “Plaintiff”), by its attorneys, for its Motion for Partial Summary Judgment pursuant to FRCP 56 and LR 56.1. In support thereof, HPT submits the Memorandum in Support of Motion for Partial Summary Judgment filed contemporaneously herewith.

As detailed in the Memorandum in Support of Motion for Partial Summary Judgment, based on the admissions made by Kevin Sykes-Bonnett, individually, and in his capacity as a principal, owner and officer of Defendant Syked ECU Tuning, Inc. and its successor or alter ego, Syked Performance Engineering, LLC, there are no genuine issues of material fact vis-a-vis liability for the claims asserted and partial summary judgment against Defendants Kevin-Sykes-

Bonnett, Syked ECU Tuning, Inc. and Syked Performance Engineering LLC and in favor of Plaintiff HPT on Counts I through VIII is appropriate at this time with the only remaining determinations to be made being the measure of damages and nature and extent of the injunctive relief to be entered against these Defendants.

WHEREFORE, summary judgment in favor of HPT and against Defendants Sykes-Bonnett, Syked Tuning and SPE should be entered on each of the counts asserted in the First Amended Complaint and this matter should be set for prove on the issue of monetary damages and the nature and extent of the permanent injunctive relief to be entered.

Dated this 2nd day of June, 2021

Respectfully submitted,

s/ Andrew P. Bleiman

Attorneys for HP Tuners, LLC

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CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2021, I caused the foregoing to be electronically with the Clerk of Court using the **CM/ECF system** which will electronically send Notice to all Counsel of Record.

MARKS & KLEIN

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